

Notice of Allowability

Application No.

10/729,748

Examiner

Alain L. Bashore

Applicant(s)

SHIMOYAMA ET AL.

Art Unit

1762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7-9-07.
2. ☒ The allowed claim(s) is/are 1,3-7,10-14 and 39-59.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/842402.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

ALAIN L. BASHORE
PRIMARY EXAMINER

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see pages 7-9, filed 7-9-07, with respect to the claims amended and as further amended in the examiner's amendment below have been fully considered and are now persuasive. The previous 35 USC 112 and 102 rejections of the previous office action has been withdrawn.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Harding on 9-17-07

The application has been amended as follows:

In claim 1, line 10, after "or more" insert – whereby increased wettability of the plastic article does not vary with time--;

In claim 54, lines 9, after "or more" insert – whereby increased wettability of the plastic article does not vary with time--.

Art Unit: 1762

Allowable Subject Matter

3. Claims 1, 3-7, 10-14, 39-59, 51-54 are allowed.

Reasons for allowance

4. The following is an examiner's statement of reasons for allowance:

The present invention includes independent claims 1 and 54. Both claims 1 and 54 recite a method for surface treatment of a plastic article.

McGee et al is considered the closest prior art McGee et al discloses a method for surface treatment of a plastic article. A step of immersing in an aqueous solution, free of coupling agents and comprising as a first polymer a carboxyl functional polymer having a weight average molecular weight of 200 or more, wherein the step of immersing is prior to any pretreatment, and further immersing the plastic article in an aqueous solution of a second polymer having a weight average molecular weight of 200 or more.

McGee et al does not disclose the claimed combination including:

In claim 1:

immersing said plastic article in a first aqueous solution having a pH of 4 or less, and comprising as a first polymer a carboxyl functional polymer having a weight average molecular weight of 200 or more to form a plastic article-first polymer complex, and

contacting said plastic article-first polymer complex with purified water or a buffer solution comprising a pH of about 7, and immersing said plastic article-first polymer complex in an aqueous solution of a second polymer having a weight average

Art Unit: 1762

molecular weight of 200 or more whereby increased wettability of the plastic article does not vary with time.

In claim 54:

a step of immersing said plastic article in a first aqueous solution having a pH of 4 or less, and comprising as a first polymer a carboxyl functional polymer having a weight average molecular weight of 200 or more to form a plastic article-first polymer complex, and

contacting said plastic article-first polymer complex with purified water or a buffer solution comprising a pH of about 7, and optionally immersing said plastic article-first polymer complex in an aqueous solution of a second polymer having a weight average molecular weight of 200 or more whereby increased wettability of the plastic article does not vary with time.

For these reasons claims 1 and 54 are deemed to be allowable over the prior art of record, and claims 3-7, 10-14, 39-59, 51-53 are allowable by dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 1762

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 571-272-6739. The examiner can normally be reached on about 7:30 am to 5:00 pm (Mon. thru Thurs.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alain L. Bashore/
Primary Examiner
Art Unit 1762